

# House Study Bill 776

HOUSE FILE \_\_\_\_\_  
BY (PROPOSED COMMITTEE ON  
JUDICIARY BILL BY  
CHAIRPERSON SWAIM)

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

## A BILL FOR

1 An Act relating to the appointment or election of state judicial  
2 nominating commission members.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
4 TLSB 6416YC 82  
5 jm/nh/8

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1 1 Section 1. NEW SECTION. 46.2A SPECIAL APPOINTMENT OR  
1 2 ELECTION OF STATE JUDICIAL NOMINATING COMMISSION MEMBERS.  
1 3 1. As used in this section, "congressional district" means  
1 4 those districts established following the 2010 federal  
1 5 decennial census and described in chapter 42.  
1 6 2. Notwithstanding sections 46.1 and 46.2, the terms of  
1 7 the appointed and elected members of the state judicial  
1 8 nominating commission serving on December 31, 2012, shall  
1 9 expire on that date.  
1 10 3. The terms of newly appointed and elected members of the  
1 11 state judicial nominating commission shall commence on January  
1 12 1, 2013, based upon the number of congressional districts as  
1 13 enacted pursuant to chapter 42.  
1 14 4. The initial term of the appointed members shall be as  
1 15 follows:  
1 16 a. In the congressional district described as the first  
1 17 district, there shall be one member with a term of two years  
1 18 and one member with a term of six years.  
1 19 b. In the congressional district described as the second  
1 20 district, there shall be one member with a term of two years  
1 21 and one member with a term of four years.  
1 22 c. In the congressional district described as the third  
1 23 district, there shall be one member with a term of four years  
1 24 and one member with a term of six years.  
1 25 d. In the congressional district described as the fourth  
1 26 district, there shall be one member with a term of two years  
1 27 and one member with a term of four years.  
1 28 5. The initial term of the elected members shall be as  
1 29 follows:  
1 30 a. In the congressional district described as the first  
1 31 district, there shall be one member with a term of two years  
1 32 and one member with a term of four years.  
1 33 b. In the congressional district described as the second  
1 34 district, there shall be one member with a term of four years  
1 35 and one member with a term of six years.  
2 1 c. In the congressional district described as the third  
2 2 district, there shall be one member with a term of two years  
2 3 and one member with a term of six years.  
2 4 d. In the congressional district described as the fourth  
2 5 district, there shall be one member with a term of four years  
2 6 and one member with a term of six years.  
2 7 6. The appointed and elected members from each  
2 8 congressional district shall be gender balanced as provided in  
2 9 section 69.16A.  
2 10 7. After the initial term is served pursuant to this  
2 11 section, the appointed members shall be appointed to six-year  
2 12 terms as provided in section 46.1, and the elected members  
2 13 shall be elected to six-year terms as provided in section  
2 14 46.2.  
2 15 8. If the number of congressional districts established  
2 16 following the 2010 federal decennial census and described in  
2 17 chapter 42 is not equal to four, then the procedures set out  
2 18 in this section are void and this section is repealed

2 19 effective June 30, 2012.

2 20 EXPLANATION

2 21 This bill relates to the appointment or election of state  
2 22 judicial nominating commission members.

2 23 The state judicial nominating commission nominates persons  
2 24 to the governor for appointment to the court of appeals and  
2 25 the supreme court.

2 26 The bill provides that the terms of each appointed and  
2 27 elected member of the state judicial nominating commission  
2 28 expire on December 31, 2012. The bill provides that terms of  
2 29 newly appointed and elected members of the state judicial  
2 30 nominating commission shall commence on January 1, 2013, based  
2 31 upon four congressional districts being established following  
2 32 the 2010 federal decennial census.

2 33 The bill establishes an initial term for the appointed and  
2 34 elected members by staggering the initial term at two-year,  
2 35 four-year, and six-year intervals.

3 1 Under the bill, the initial term for appointed members is  
3 2 as follows: three members shall serve a term of two years,  
3 3 three members shall serve a term of four years, and two  
3 4 members shall serve a term of six years.

3 5 Under the bill, the initial term for elected members is as  
3 6 follows: two members shall serve a term of two years, three  
3 7 members shall serve a term of four years, and three members  
3 8 shall serve a term of six years.

3 9 The bill provides that the appointed and elected members  
3 10 from each congressional district shall be gender balanced as  
3 11 provided in Code section 69.16A.

3 12 If the number of congressional districts established  
3 13 following the 2010 federal decennial census is not equal to  
3 14 four, then the procedures set out in the bill are void and the  
3 15 bill is repealed effective June 30, 2012.

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